

AMENDMENTS TO THE DRAWINGS

Figure 1 has been labeled -related art- and character references described in the specification have been added to Figure 2.

Attachment: One (1) Marked Up Sheet

REMARKS

Claims 1-3 are all the claims pending in the application. By this Amendment, Applicant amends the specification, drawings and claims 1-3. No new matter is being added. By this Amendment, Applicant adds claims 4-10, which are clearly supported throughout the specification.

I. Preliminary Matters

As preliminary matters, Applicant thanks the Examiner for returning the initialed form PTO/SB/08 submitted with the Information Disclosure Statement filed on July 30, 2003.

Applicant respectfully requests the Examiner to acknowledge Applicant's claim to foreign priority and indicate receipt of the certified copy of the priority document.

II. Summary of the Office Action

The Examiner objected to the specification and drawings. The Examiner further objected to claim 1. The Examiner rejected claim 1 under 35 U.S.C. § 112, second paragraph and claims 1-3 under 35 U.S.C. § 102(b).

III. Objections to the Specification

The Examiner objected to the title as allegedly being non descriptive. Applicant herein amends the title for further description. In view of this amendment to the specification, Applicant respectfully requests the Examiner to now withdraw this objection. No new matter is being added. Furthermore, Applicant respectfully invites the Examiner to suggest corrections to the allegedly non descriptive title if such corrections become necessary.

IV. Objections to the Drawings

The Examiner has objected to the drawings because Figure 1 is not labeled related art and because Figure 2 contains a character reference not described in the specification and lacks labels for some of the character references described in the specification (*see* page 2 of the Office Action). The drawings and the specification have been amended to remedy these minor informalities. A Replacement Drawing (containing amended Figures 1 and 2) is accompanying this response. As a result, the Examiner is respectfully requested to acknowledge receipt and indicate approval of the drawing corrections in the next Patent Office paper. No new matter is being added.

V. Objections to the Claims

The Examiner objected to claim 1 because of minor informalities. Applicant has revised the claim, and respectfully submits that the claim as now presented no longer include the potential informality mentioned by the Examiner. Applicant therefore respectfully requests the Examiner to withdraw the objections to the claim.

VI. Claim Rejections under 35 U.S.C. § 112

Claim 1 is rejected under 35 U.S.C. § 112, second paragraph. Applicant respectfully thanks the Examiner for pointing out, with particularity, the aspects of the claim thought to be indefinite. Applicant respectfully requests the Examiner to withdraw this rejection in view of the self-explanatory claim amendments being made herein.

VII. Claim Rejections under 35 U.S.C. § 102

Claims 1-3 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,377,196 to Godlew et al. (hereinafter “Godlew”). Applicant respectfully traverses these grounds of rejection in view of the following comments.

Independent claim 1 *inter alia* recites: “means for inferring said policy rules to determine said commands, said policy rules comprise services rules, which create a service in the network and implementation rules.”

In conventional techniques, when implementing a service such as a virtual private network, the operator must decide how to implement the service and need to know specifications of each network element so that each can be programmed accordingly. In an exemplary, non-limiting embodiment, the development or implementation of the new service is facilitated by using rules. In particular, the rules for the service *i.e.* to create a new service, is applied independently of the implementation rules. In other words, in an exemplary embodiment of the present invention, service dependent issues are separated from implementation dependent issues so that the service designer does not have to attend to the implementation issues such as what technology to deploy, what sort of equipments are available and so on. It will be appreciated that the foregoing remarks relate to the invention in a general sense, the remarks are not necessarily limitative of any claims and are intended only to help the Examiner better understand the distinguishing aspects of the claims mentioned above.

The Examiner contends that claim 1 is directed to a network management system and is anticipated by Godlew. Specifically, the Examiner contends that the rules of Godlew anticipate the service rules and implementation rules as set forth in claim 1 (*see* page 4 of the Office Action). Applicant respectfully disagrees. Applicant respectfully submits that Godlew does not disclose or suggest inferring policy rules to determine commands and the policy rules including rules to create a service and rules that specify attributes of the service.

Godlew discloses an expert system for diagnosing data communication network. The expert system includes a knowledge base comprising a plurality of rules pertaining to reactive

and proactive diagnosis of the network. The expert system includes a plurality of modules for processing network-related questions, such as a rule module which uses forward rules to hypothesize whether network problems exist, and which uses backward rules to verify whether the hypothesized network problems exist. In Godlew, the expert system includes a facilitator for selecting various modules to process the questions. Specifically, in Godlew, the facilitator operates by sending a poll request associated with one of the questions to the modules, analyzing estimates from the modules to identify a module which can most efficiently and effectively process the question, and instructing the identified module to process the question. In Godlew, the rule module also operates to proactively diagnose the data communication network by identifying in the knowledge base a rule pertaining to proactive diagnosis, formulating questions based on the rule, and circulating the formulated questions within the expert system (*see* Abstract and col. 3, lines 10 to 57).

In Godlew, the rules are for diagnosis of an existing network. In other words, Godlew relates to a system of diagnosing whether the network functions properly. Godlew does not disclose or even remotely suggest the rules being for a creation of a service in the network and the implementation rules. The rules in Godlew relate to diagnosing the existing network *i.e.*, whether there are problems in the network. In short, Godlew is unrelated to setting up or creating a service in the network. Accordingly, Godlew does not and cannot disclose having service rules for the creation of the service and implementation rules, as set forth in claim 1.

Godlew further discloses that the rule module 214B is an inference engine which operates according to the rules in the knowledge base 238. The rule module 214B manages, schedules, and applies the rules in the knowledge base 238 to answer and pose questions. The rule module 214B receives responses to questions and manages the continuation of pending rules using the

responses (Figs. 13 and 14; col. 15, line 35 to col. 16, line 10). However, in Godlew, there is no disclosure or suggestion that the rule module infers the policy rules to determines commands.

Therefore, “means for inferring said policy rules to determine said commands, said policy rules comprise services rules, which create a service in the network and implementation rules,” are not disclosed by Godlew, which lacks having rules that create a service in the network and implementation rules and which lacks having means to infer the policy rules to determine commands. For at least these exemplary reasons, claim 1 is patentably distinguishable from Godlew. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection of claim 1 and its dependent claims 2 and 3.

VIII. New Claims

In order to provide more varied protection, Applicant adds claims 4-10, which are patentable by virtue of their dependency and for additional features set forth therein.

IX. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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